

ESTTA Tracking number: **ESTTA657691**

Filing date: **02/24/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	PRO Corporation
Granted to Date of previous extension	02/25/2015
Address	999 Stewart Avenue, Suite 100 Bethpage, NY 11714 UNITED STATES
Attorney information	Stephen L. Davis Davis & Leonard LLP 8880 Cal Center Dr., Suite 180 Sacramento, CA 95826 UNITED STATES sdavis@davisandleonard.com, vkul@davisandleonard.com Phone:9163629000

### Applicant Information

Application No	86184957	Publication date	10/28/2014
Opposition Filing Date	02/24/2015	Opposition Period Ends	02/25/2015
Applicant	Charles River Laboratories, Inc. 251 Ballardvale Street Wilmington, MA 01887 UNITED STATES		

### Goods/Services Affected by Opposition

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Consulting services for others in the field of design, planning, and implementation project management of medical laboratories and clinical trials

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	2538733	Application Date	05/03/1996
Registration Date	02/19/2002	Foreign Priority Date	NONE
Word Mark	RIGHTSOURCING		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 035. First use: First Use: 1996/02/15 First Use In Commerce: 1996/02/15 job placement services for temporary and permanent employees Class 038. First use: First Use: 1996/02/15 First Use In Commerce: 1996/02/15 [ telecommunications consultation services ] Class 042. First use: First Use: 1996/02/15 First Use In Commerce: 1996/02/15 computer consultation services

Attachments	pro.opposition 2(d).rightsource filing draft.pdf(73025 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Victoria Kulbidyuk/
Name	Victoria Kulbidyuk
Date	02/24/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PRO CORPORATION  Opposer  v.  CHARLES RIVER LABORATORIES, INC.  Applicant	Opposition No.:  Application No. 86184957  Mark: RIGHTSOURCE
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**NOTICE OF OPPOSITION**

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Opposer PRO Corporation, a corporation of Delaware with a business address at 999 Stewart Avenue, Suite 100, Bethpage, NY 11714, (“Opposer”) has been damaged by the above-identified application, and hereby opposes registration of the same.

The grounds for opposition are as follows:

1. Opposer is the Registrant for trademark Registration No. 2538733 for the mark RIGHTSOURCING in connection with “job placement services for temporary and permanent employees” in international class 35, and “computer consultation services” in international class 42.
2. Since at least as early as February 15, 1996, Opposer has used its mark in commerce with those services continuously throughout the United States.
3. Opposer’s RIGHTSOURCING mark has developed and represents valuable goodwill inuring to the benefit of Opposer and has acquired strong trademark significance to users of Opposer’s services.

4. Applicant is seeking to obtain under the provisions of the Trademark Act of 1946, as amended, registration on the Principal Register of the trademark RIGHTSOURCE for “Consulting services for others in the field of design, planning, and implementation project management of medical laboratories and clinical trials” in International Class 42. The Subject Application is based on an intent to use in commerce pursuant to Sec. 1(b) of the Trademark Act.

5. On information and belief, Applicant’s services are offered to the same general class of customers who use Opposer’s services in connection with which Opposer has used and is using their RIGHTSOURCING mark.

6. The mark sought to be registered in the Subject Application is nearly identical to Opposer’s mark. The only difference is the use of RIGHTSOURCE vs. RIGHTSOURCING.

7. The services set forth in the Subject Application are closely related to the services offered by Opposer in connection with his mark.

8. Because of the related nature of the parties’ services and the near identical marks, use and registration of the mark RIGHTSOURCE by Applicant, when applied to the services in the Subject Application, is likely to cause confusion, mistake, or deception that Applicant's services are those of Opposer, or are otherwise endorsed, sponsored or approved by Opposer in violation of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer believes it will be damaged by registration of the mark in the Subject Application, asks that its opposition be sustained and that registration of the Subject Application for the services set forth therein be refused.

A Notice of Opposition filing fee, in the amount of \$300.00 is being submitted herewith. Opposer herein appoints Stephen L. Davis as its attorney to transact all business in the United States Patent and Trademark Office relating to this matter with full power of substitution. Please direct all correspondence to the law firm of Davis & Leonard, LLP, 8880 Cal Center Drive, Suite 180, Sacramento, CA 95826, Attention: Stephen L. Davis.

Respectfully submitted,

PRO CORPORATION

By its attorneys,

Date: February 24, 2015

By: /Stephen L. Davis/  
Stephen L. Davis  
DAVIS & LEONARD LLP  
8880 Cal Center Dr., Suite 180  
Sacramento, CA 95826  
Telephone: (916) 362-9000  
sdavis@davisandleonard.com

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on Applicant by mailing said copy to Applicant's counsel, via U.S. Mail, postage prepaid on February 24, 2015 to Attn: Nigamnarayan Acharya, Seyfarth Shaw LLP, 1075 Peachtree Street NE, Suite 2500 Atlanta, Georgia 30309.

/Victoria Kulbidyuk/  
Victoria Kulbidyuk